

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----	X	
	:	
Provepharm, Inc.,	:	17-cv-007087 (SJF) (AKT)
	:	
Plaintiff/Counter-claim defendant,	:	
	:	
v.	:	
	:	
Akorn, Inc., ¹	:	
	:	
Defendant/Counterclaimant.	:	
	:	
-----	X	

**NOTICE OF SUGGESTION ON PENDENCY OF BANKRUPTCY FOR
AKORN, INC. AND AUTOMATIC STAY OF PROCEEDINGS**

PLEASE TAKE NOTICE that, on May 20, 2020, Akorn, Inc. and certain of its subsidiaries and affiliates (collectively, the “Debtors”), filed voluntary petitions for relief under chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101—1532 (the “Bankruptcy Code”), in the United States Bankruptcy Court for the District of Delaware (the “Bankruptcy Court”). The Debtors’ chapter 11 cases are pending before the Honorable Judge Karen B. Owens, United States Bankruptcy Judge, and are being jointly administered under the lead case *Akorn, Inc.*, Case No. 20-11177 (KBO) (the “Chapter 11 Cases”). A copy of the notice of commencement is attached hereto as **Exhibit A**.

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, if any, are: Akorn, Inc. (7400); 10 Edison Street LLC (7890); 13 Edison Street LLC; Advanced Vision Research, Inc. (9046); Akorn (New Jersey), Inc. (1474); Akorn Animal Health, Inc. (6645); Akorn Ophthalmics, Inc. (6266); Akorn Sales, Inc. (7866); Clover Pharmaceuticals Corp. (3735); Covenant Pharma, Inc. (0115); Hi-Tech Pharmacal Co., Inc. (8720); Inspire Pharmaceuticals, Inc. (9022); Oak Pharmaceuticals, Inc. (6647); Olta Pharmaceuticals Corp. (3621); VersaPharm Incorporated (6739); VPI Holdings Corp. (6716); and VPI Holdings Sub, LLC. The location of the Debtors’ service address is: 1925 W. Field Court, Suite 300, Lake Forest, Illinois 60045.

PLEASE TAKE FURTHER NOTICE that pursuant to section 362(a) of the Bankruptcy Code, the Debtors' filing of their respective voluntary petitions gives rise to a stay, applicable to all entities, of, among other things: (a) the commencement or continuation of any judicial, administrative, or other action or proceeding against the Debtors (i) that was or could have been commenced before the commencement of the Chapter 11 Cases or (ii) to recover a claim against the Debtors that arose before the commencement of the Chapter 11 Cases; (b) the enforcement, against any of the Debtors or against any property of each of the Debtors' bankruptcy estates, of a judgment obtained prior to the commencement of the Chapter 11 Cases; and (c) any act to obtain possession of property of or from any of the Debtors' bankruptcy estates, or to exercise control over property of any of the Debtors' bankruptcy estates.² No order has been entered in the Chapter 11 Cases granting relief from the automatic stay.

PLEASE TAKE FURTHER NOTICE that pleadings filed in the Chapter 11 Cases may be obtained free of charge by visiting the website of Kurtzman Carson Consultants LLC ("KCC") at <http://www.kccllc.net/akorn>. Further information may be obtained by calling KCC toll free at (877) 725-7539 (U.S. and Canada) or (424) 236-7247 (International). You may also obtain copies of any pleadings by visiting the Court's website at <http://www.deb.uscourts.gov> (PACER login and password required) in accordance with the procedures and fees set forth therein.

[Remainder of page intentionally left blank]

² Nothing herein shall constitute a waiver of the Debtors' rights to assert any claims, counterclaims, defenses, rights of setoff or recoupment, or any other claims against any party to the above-captioned case. The Debtors expressly reserve all rights to contest any claims that may be asserted against the Debtors.

Dated: May 22, 2020

/s/ Rodney L. Lewis
Eric J. Goldberg
Littleton Park Joyce Ughetta & Kelly LLP
39 Broadway, 29th Floor
New York, NY 10006
Tel: 212.404.5773
eric.goldberg@littletonpark.com

Of Counsel:
Gary E. Hood (*pro hac vice*)
Taras A. Gracey (*pro hac vice*)
Mark T. Deming (*pro hac vice*)
Rodney L. Lewis (*pro hac vice*)
POLSINELLI PC
150 N. Riverside Plaza
Suite 3000
Chicago, IL 60606
Tel: 312.819.1900
ghood@polsinelli.com
tgracey@polsinelli.com
mdeming@polsinelli.com
rodneylewis@polsinelli.com
Attorneys for Defendant Akorn, Inc.

Certificate of Service

I certify that a true and correct copy of the foregoing Notice of Suggestion of Bankruptcy and Automatic Stay of Proceedings was served on May 22, 2020 by the Court's electronic filing system to all counsel of record in the above captioned action.

/s/Rodney L. Lewis